

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 582591328 US, on the date shown below in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: November 22, 2006 Signature: \_\_\_\_\_

(Lori Sims)

Docket No.: 252312008000  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Matthew D. LINNIK et al.

Application No.: 10/814,555

Confirmation No.: 7418

Filed: March 30, 2004

Art Unit: 1633

For: METHODS OF TREATING AND  
MONITORING SYSTEMIC LUPUS  
ERYTHEMATOSUS IN INDIVIDUALS

Examiner: F. Sajjadi

**RESPONSE TO RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Restriction/Election of Species Requirement set forth in the Office Action mailed September 22, 2006 (Part of Paper No./Mail Date 20060914), for which a response was due on October 22, 2006. Filed herewith is a Petition and fee for a one (1) month extension of time, thereby extending the deadline for response to November 22, 2006. Accordingly, this response is timely filed.

The Examiner has stated in the Office Action that claims 1-6, 10-19 and 23-26 contain patentably distinct species of a specific double-stranded (ds) DNA epitope, such as SEQ ID NO:1, SEQ ID NO:2, and others set forth on pp. 48-50 of the specification.

For the species of dsDNA epitope, Applicant hereby elects double-stranded sequence (CA)<sub>10</sub> • (TG)<sub>10</sub> (see paragraph 177 in the specification). Claims 1-6, 8-19, and 21-26 are readable upon this elected species.

The Examiner has also stated in the Office Action that claims 1-6, 10-19 and 23-26 contain patentably distinct species of a specific non-immunogenic valency platform. The Examiner states that the AHAB-TEG based platform of LJP 394 is structurally distinct from numerous other valency platforms set forth on pp. 52-58 of the specification.

For the species of a non-immunogenic valency platform, Applicant hereby elects AHAB-TEG based platform of LJP 394 for continued examination. Claims 1-26 are readable upon this elected species.

Applicants' election is made without prejudice. Applicants expressly reserve Applicants' right under 35 U.S.C. § 121 to file a divisional application directed to the non-elected subject matter during the pendency of this application, or an application claiming priority from this application.

Applicants request examination of the elected subject matter on the merits.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **252312008000**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: November 22, 2006

Respectfully submitted,

By 

Terri Shieh-Newton

Registration No.: 47,081

MORRISON & FOERSTER LLP

755 Page Mill Road

Palo Alto, California 94304-1018

(650) 813-5777